IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY & INTESTATE JURISDICTION

NOTICE OF MOTION NO.78 OF 2005

IN

SUIT NO.9 OF 2005

IN

PETITION NO.387 OF 2003

Payarangal Sethumadhavan Nair. ...Deceased.

Mr.Sanyukt Tiwari. ...Petitioner/Plaintiff.

vs.

1. Anitha Ravi and another. ...Caveatrixes/Defendants.

Mrs.Lata Desai, for Plaintiff/Petitioner.

Mr.B.G.Saraf, for Defendants.

CORAM: D.K.DESHMUKH,J.

DATED: 20th July, 2006.

P.C.:-

This is a notice of motion taken out by the defendants in the testamentary suit seeking interim order in relation to the property. The property is not the subject matter of the testamentary suit. No final order is being passed by the Court in a testamentary suit about

the property. Therefore, the powers of the Court to pass interim order cannot be used in this case for passing any interim order in relation to the property. The notice of motion is disposed of.